

United States District Court
for the
Southern District of West Virginia
Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Independence Coal Company, Inc.

Case Number: 2:02CR00185-001

Name of Sentencing Judicial Officer: Mary E. Stanley, U.S. Magistrate Judge

Date of Original Sentence: March 12, 2003

Original Offense: 33 U.S.C. § 1319(c)(1)(A), Clean Water Act Violation Exceeding Permit Limits

Original Sentence: Five year term of probation

Type of Supervision: Probation Date Supervision Commenced: March 12, 2003

Asst. U.S. Attorney: Miller A. Bushong III Defense Attorney: William J. Powell

To issue a warrant
 To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

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Southern District of West Virginia

Violation Number Nature of Noncompliance

1. **Violation of standard unnumbered condition: The defendant organization shall not commit another Federal, state or local crime:**

Investigative reports received from the United States Environmental Protection Agency and the West Virginia Department of Environmental Protection indicates slurry spills occurred at Independence Coal Company, Inc. sites on August 6 and on September 11 continuing into September 12, 2003.

U.S. Probation Officer Recommendation:

The term of supervision should be:

Revoked
 Extended for year(s), for a total term of years.

The conditions of supervision should be modified as follows:

Respectfully submitted,

by


John B. Edgar
Senior U. S. Probation Officer
Date: September 30, 2003

Prob 12C

Re: Independence Coal Company, Inc.
Docket No. 2:02CR00185-001

-2-

Petition for Warrant or Summons
for Offender Under Supervision

ENTERED

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U.S. District & Bankruptcy Courts
Southern District of West Virginia

Mary E. Stanley

Signature of Judicial Officer

October 2, 2003

Date